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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Backes et al.

Serial No.: 10/781214

Filed: 2/18/2004

Title: Method for Selecting an Optimum Access  
Point in a Wireless Network on a Common  
channel

Attorney Docket No.: 160-033

Group Art Unit:

Examiner:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 33212-1450INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted before the mailing date of the first office action on the merits.

Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, if required, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 33212.

Date of Deposit: 10/26/04

Typed Name: Mary Steubing

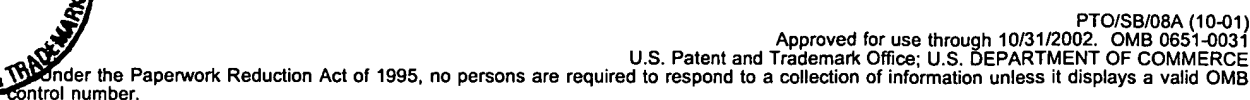
Signature: Mary Steubing

Respectfully submitted,

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Date: 10/22/04

Telephone No.: 978-264-6664



**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
*(use as many sheets as necessary)*

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|                               |           |
|-------------------------------|-----------|
| <b>Application Number</b>     | 10/781214 |
| <b>Filing Date</b>            | 2/18/2004 |
| <b>First Named Inventor</b>   | Backes    |
| <b>Art Unit</b>               |           |
| <b>Examiner Name</b>          |           |
| <b>Attorney Docket Number</b> | 160-033   |

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number                            | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|-----------------------|--------------------------|--|--------------------------------|--|---|
|                       |                          | Number - Kind Code <sup>2</sup> (if known) |                                |  |   |
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|  |   | Filing Date              | 2/18/2004 |
|  |   | First Named Inventor     | Backes    |
|  |   | Group Art Unit           |           |
|  |   | Examiner Name            |           |
|  |   | Attorney Docket Number   | 160-033   |
| Sheet  | 2 | of                       | 2         |

| OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS |              |   |                |
|---|--------------|---|----------------|
| Examiner<br>Initials*                             | Cite,<br>No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|   |              | IEEE, Wireless LAN Medium Access Control (MAC) and Physical Layer (PHY) specifications, Standard 802.11, 1999 edition, Reference number ISO/IEC 8802-11:1999(E), 528 Pages.   |                |
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| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number     | 10/781214 |
|   | Filing Date            | 2/18/2004 |
|   | First Named Inventor   | Backes    |
|   | Art Unit               |           |
|   | Examiner Name          |           |
| Total Number of Pages in This Submission  | Attorney Docket Number | 160-033   |

| ENCLOSURES (Check all that apply)  |   |  |
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| Remarks  |   |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |                      |
|--|----------------------|
| Firm or Individual name                    | Mary Steubing        |
| Signature                                  | <i>Mary Steubing</i> |
| Date                                       | 10/22/04             |

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| Typed or printed name   | <i>Mary Steubing</i> |      |          |
| Signature   | <i>Mary Steubing</i> | Date | 10/26/04 |

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